

Message

From: Wysocki, Kenneth C. [Wysocki.kenneth@epa.gov]
Sent: 7/22/2022 4:37:29 PM
To: Eric McAfee [eric.mcafee@aemetis.com]
CC: Bates, William [bates.william@epa.gov]; Albright, David [Albright.David@epa.gov]
Subject: RE: Introduction, EPA

Eric, here is the information I have for Uduak and Courtney:

CalGEM Office: 916-445-9686

Uduak-Joe Ntuk
Uduak-Joe.Ntuk@conservation.ca.gov

Courtney Smith
Courtney.Smith@conservation.ca.gov

Thanks

Ken Wysocki, Ph.D.
Assistant Director
Region 9 Water Division
U.S. Environmental Protection Agency
Phone: 415-972-3425
wysocki.kenneth@epa.gov

From: Eric McAfee <eric.mcafee@aemetis.com>
Sent: Friday, July 22, 2022 8:38 AM
To: Albright, David <Albright.David@epa.gov>
Cc: Bates, William <bates.william@epa.gov>; Wysocki, Kenneth C. <Wysocki.kenneth@epa.gov>
Subject: Re: Introduction, EPA

Thanks, David. Do you have cell phone, work and email contact info for Ntuk and Smith?

Eric McAfee
Chairman/CEO
Aemetis, Inc.

On Jul 21, 2022, at 5:01 PM, Albright, David <Albright.David@epa.gov> wrote:

Hi Eric, thanks for the follow-up email message. I understand the frustration here. I spoke with CalGEM today and re-confirmed that they are aware of your situation, have the application, and are working on it. They noted the complex situation with the CEQA lawsuit in Kern Co that is impacting their efforts statewide. That said, they again offered to speak with you about this matter. Please contact Uduak-Joe Ntuk (CA State Oil and Gas Supervisor) or Courtney Smith for further clarification.

Best Regards,
David

David Albright
Manager, Groundwater Protection Section
USEPA Region 9 (WTR-4-2)
75 Hawthorne Street
San Francisco, CA 94105
415 972-3971

From: Eric McAfee <eric.mcafee@aemetis.com>
Sent: Thursday, July 21, 2022 6:56 AM
To: Albright, David <Albright.David@epa.gov>
Cc: Bates, William <bates.william@epa.gov>
Subject: Re: Introduction, EPA

David,

We asked CalGEM how long it would take to obtain the O&G well permit. The response from CalGEM confirmed "between four months and 40 years". Seriously.

Can you call and ask CalGEM when the permit should be issued to Aemetis? Oil wells are officially not being approved in California, so our oil well application will just sit in a pile at CalGEM gathering dust.

The legal requirement is a 10 day approval, but CalGEM is actively ignoring the law.

We are building the access road starting next week and any delay in drilling thereafter is wasted time.

The CCS project is a component of the Aemetis 90 million gallon per year sustainable aviation fuel plant at Riverbank. These unnecessary permitting delays are directly damaging the White House Grand Challenge for aviation fuel production.

Please also note that Red Trail Ethanol in North Dakota has begun CO2 injection. They received Class VI approval in 9 months (Feb to Oct 2021) via the North Dakota state board that was set up to handle Class VI well permits. We were told that Red Trail was able to skip the \$7 million characterization well entirely in the North Dakota permitting process.

Thanks.

Eric McAfee
Chairman/CEO
Aemetis, Inc.

On Jul 20, 2022, at 11:30 AM, Albright, David <Albright.David@epa.gov> wrote:

Hi Eric, it was good to meet you over Teams the other day. In follow-up, I reached out to CalGEM and they confirmed that you are on the right path, submitting the NOI to drill a new well. CalGEM clarified that working solely with the County to get a permit to drill would not expedite the process, as you would still be required to get a permit from CalGEM to drill a new well.

If you have any questions or concerns, I recommend you reach out to Courtney Smith, Chief Deputy Director of Programs at CalGEM. You can contact Courtney at Courtney.Smith@conservation.ca.gov or by phone at 1.805.623.2891.

We are in regular communication with CalGEM on UIC matters, and I expect they will keep us apprised as to the status of this effort.

Best Regards,
David

David Albright
Manager, Groundwater Protection Section
USEPA Region 9 (WTR-4-2)
75 Hawthorne Street
San Francisco, CA 94105
415 972-3971

From: Eric McAfee <eric.mcafee@aemetis.com>
Sent: Friday, July 15, 2022 2:50 PM
To: Bates, William <bates.william@epa.gov>
Cc: Albright, David <Albright.David@epa.gov>
Subject: Re: Introduction, EPA

Bill and David,

Thanks for the conversation today. Attached is a copy of the email from Erwin Sison that we discussed.



Aemetis CCS Observa...

From: Sison, Erwin@DOC
<Erwin.Sison@conservation.ca.gov>
Sent: Tuesday, July 5, 2022 7:46 PM
To: Richard Ness <rness@adv-res.com>; Morgan, Kelly@DOC <Kelly.Morgan@conservation.ca.gov>
Cc: David E. Riestenberg <DRiestenberg@adv-res.com>; Mehagan Hopkins <mehagan.hopkins@aemetis.com>; Fojtasek@atsi.com
Subject: Re: Aemetis CCS Observation Well NOI Status Update

Good afternoon.

Kelly is off today. I will try and provide an update regarding the submitted NOI. It is currently on hold as CalGEM reviews the submitted CEQA documents. Our CEQA group is reviewing it with our LEGal group.

Also, the submitted NOI will be returned when Kelly gets back to the office. It needs to be submitted as an NOI for an active oil and gas well. CalGEM will not review it as submitted since there no operations/reservoir to observe for this well. One thing to note is that this well will only be reviewed and approved as an oil and gas well. Any other use of it as it relates to CCS operations will need full regulatory application, review and approval from the US EPA. CalGEM has no primacy or approval authority on any CCS matters.

Thank you.

Regards,
Erwin Sison

Thanks.

Eric McAfee
Chairman/CEO
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(408) 390-3275 cell/text
eric.mcafee@aemetis.com
20400 Stevens Creek Blvd., Suite 700
Cupertino, CA 95014

On Jul 15, 2022, at 1:35 PM, Bates, William <bates.william@epa.gov> wrote:

Hi Eric,

It was a pleasure talking with you this afternoon. My contact information is below. As David mentioned his email address is Albright.david@epa.gov.

During our discussion I mentioned some resources that might be helpful.

Geologic Sequestration Data Tool: <https://www.epa.gov/uic/class-vi-wells-used-geologic-sequestration-carbon-dioxide#GSDT>

Class VI permit application and permitting tools: <https://www.epa.gov/uic/class-vi-geologic-sequestration-permit-application-and-permitting-tools>

Class VI guidance document: <https://www.epa.gov/uic/final-class-vi-guidance-documents>

Safe travels and I hope that you have a wonderful weekend.

Cheers
Bill

William (Bill) J. L. Bates, P.G.
Chief
Drinking Water Protection Division: Prevention Branch
Office of Ground Water & Drinking Water
U.S. Environmental Protection Agency

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Mobile: 202-779-3340
Email: bates.william@epa.gov

[Call](#) or [chat](#) with me on Microsoft Teams

From: Eric McAfee <eric.mcafee@aemetis.com>
Sent: Wednesday, July 13, 2022 19:24
To: Bates, William <bates.william@epa.gov>
Cc: Forbes, Sarah M. EOP/CEQ <Sarah.M.Forbes@ceq.eop.gov>
Subject: Re: Introduction, EPA

Bill,

Times for a call this Friday:

11:30 am to 3 pm Eastern
4 pm to 5 pm Eastern

Thanks.

Eric McAfee
Chairman/CEO
Aemetis, Inc.

On Jul 13, 2022, at 5:42 PM, Bates, William <bates.william@epa.gov> wrote:

Hi Eric,

It is pleasure to meet you virtually. Thank you for the information that you have provided. Would you have an availability to talk Friday or early next week?

Cheers
Bill

William (Bill) J. L. Bates, P.G.
Chief
Drinking Water Protection Division: Prevention Branch
Office of Ground Water & Drinking Water
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Office: 202-564-6165
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[Call or chat with me on Microsoft Teams](#)

From: Eric McAfee <eric.mcafee@aemetis.com>
Sent: Wednesday, July 13, 2022 00:48
To: Forbes, Sarah M. EOP/CEQ <Sarah.M.Forbes@ceq.eop.gov>
Cc: Bates, William <bates.william@epa.gov>; Dr. Sally Benson <sally.m.benson@OSTP.eop.gov>
Subject: Re: Introduction, EPA

Thanks, Sarah.

Mr. Bates,

Aemetis produces 65 million gallons of biofuels and 150,000 metric tonnes of CO2 at our plant in California. We are building a \$430 million, 90 million gallon sustainable aviation fuel plant that will produce 200,000 MT of CO2 per year.

Aemetis is seeking a permit to drill a characterization well in Riverbank, California to obtain soil data for an EPA Class VI CO2 injection well permit application so we can sequester CO2 from our biofuel production facilities.

We will spend more than \$6 million drilling the characterization well and seek to use the well as a monitoring well for the project, rather than drill a temporary oil & gas well which then must be plugged.

We met with the EPA in California and were advised to obtain a permit from the CalGEM department in California, since the EPA does not issue permits for characterization wells.

We met with CalGEM and filed the permit, but last week we were told that "CalGEM only issues permits for oil & gas wells and the EPA handles CCS wells".

We are ready to drill the characterization well. Who can we contact at the EPA that can issue the characterization well drilling permit?

My cell/text is (408) 390-3275. Thanks.

Eric McAfee
Chairman/CEO
Aemetis, Inc.

On Jul 12, 2022, at 4:53 PM, Forbes, Sarah M. EOP/CEQ <Sarah.M.Forbes@ceq.eop.gov> wrote:

Eric,

I just spoke with Bill Bates (copied). Bill is a branch chief at EPA headquarters, leading on class vi issues and will be happy to talk with you and hopefully get you to the right regional office contact.

Thanks,
sarah

Sarah M. Forbes (She/her)
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Council on Environmental Quality
Executive Office of the President
202-881-8424
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